



**THE CITY OF SAN DIEGO**

**MANAGED COMPETITION  
INDEPENDENT REVIEW BOARD (MCIRB)**

**Meeting Minutes  
Thursday, April 21, 2011, 2:00 p.m.  
City Administration Building, 202 "C" Street  
12th Floor, Conference Room A**

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**Call to order at 2:05 p.m. by Chair Faye Wilson**

**I. ROLL CALL:**

**Members Present:**

Faye Wilson (Chair)  
Steve Stroebe  
Debra Fischle-Faulk

Mary Lewis  
Andrea Tevlin

**Members Absent:**

Charles W. Kim, Jr.

**Staff and Guests:**

Wally Hill, Assistant Chief Operating Officer  
Bill Gersten, Deputy City Attorney  
Elvia Sandoval, Executive Assistant

**II. PUBLIC COMMENT: NONE**

**III. APPROVAL OF MINUTES FOR:**

- January 13, 2011 – Approved Unanimously

**IV. DISCUSSION OF MCIRB PROCESS FOR ASSESSING PROPOSALS AND FORMING RECOMMENDATIONS**

Chair Wilson reported that as the Board began working on their first Managed Competition for a City department, they found themselves struggling with the process and how to go through the vast amount of material that was coming through in an efficient and fair way. They struggled to understand and implement the guide as it is written to somehow allow an effective process. During this process, the Board began to explore ways to be better informed and become more efficient. They came up with a suggested process that, according to the opinions of the City Attorney's office, will work with the guide. A Draft Refined MCIRB Managed Competition Evaluation Process (Attachment 1) and Flow Chart (Attachment 2) was distributed and discussed by the Board. In short, the process will create a Screening Committee which will review all the proposals for completeness, a report will be presented to MCIRB who will review and confirm the Screening Committee's conclusions. The Board will then forward the proposals to the Cost Evaluation Committee (CEC) for review and then to the Technical Evaluation Committee (TEC)

for its review. Once this process is completed, a report will be presented to the full Board for review and a best overall recommendation report will be drafted and sent to the Mayor.

There was extensive discussion on screening out bidders on cost before TEC reviews the proposals. This can cause potential winners to be screened out based in marginal price differences that, in the Last, Best and Final Offer would be resolved by getting a better bid and best value to the City.

It was suggested that the following be modified to the Draft Refined Managed Competition Evaluation Process:

Step 1(d): to add “or reject” non-responsive determination because the way it reads now is that the Board’s only option is to confirm it.

Step 1(g): Same – confirms “or rejects.”

Step 2(d): Based on 10% requirement, CEC informs TEC in writing which proposals qualify for moving on to technical review phase taking the 10% requirement into account but leaving some flexibility in judgment.

Step 4: In Title, eliminate “with exception of proposer interviews” as it is the committee interviews that would be exempt from the Brown Act, not if the entire Board interviewed.

Committee members will be rotated between Committees. MCIRB Chair will provide coordination and oversight and will not serve on Committees. The Screening Committee will review all proposals. The Non-responsive proposals may not necessarily need to be read in their entirety. Hildred Pepper will provide Purchasing and Contracting expertise and guidance.

**Motion: To adopt the Draft Refined Managed Competition Evaluation Process with the suggested modification to Step 1(d), Step 1(g), Step 2(d), and Step 4 In Title. Unanimously approved**

## **V. DISCUSSION AND POSSIBLE ACTION REGARDING WHICH PUBLISHING SERVICES MANAGED COMPETITION PROPOSALS ARE NON-RESPONSIVE**

The Cost Evaluation Committee has completed its work on Publishing Services Managed Competition proposals and will prepare a report to the Technical Evaluation Committee on which proposals have qualified and can be considered. The Technical Evaluation Committee will complete their work quickly and will be ready to agenda the decision at the next MCIRB meeting.

Hildred Pepper distributed a proposal from Economy Crafted Printing and recommended that the Board consider the proposal Non-Responsive. Mr. Pepper explained that the Economy Crafted Printing did not respond to any correspondence for clarification on questions to their proposal. Steve Stroebel explained that the CEC reviewed the proposal for pricing and considers the proposal as Non-Responsive. Chair Wilson stated that there was no technical content to review and the TEC could not do a technical review.

**Motion: To consider Economy Crafted Printing proposal as Non-Responsive. Unanimously approved**

## VI. INFORMATION ITEMS

- **Street Sweeping Pre-Competition Assessment**
- **Public Utilities Customer Service Office Pre-Competition Assessment**
- **Landfill Operations Pre-Competition Assessment**

Chair Wilson confirmed receipt of the Pre-Competition Assessment reports.

## VII. STATUS REPORT ON MANAGED COMPETITION PROJECTS

Wally Hill briefed the Board on the Managed Competition upcoming projects:

<b>Managed Comp Project</b>	<b>PSOW to Rules</b>	<b>Proposed PSOW to Council</b>	<b>Proposed Issue of RFP</b>	<b>Proposed Issue of Proposals</b>
Fleet Maintenance	To Rules Already	To Council Already	Mid-May	Mid July
Street Sweeping	April 27, 2011		Late September	Late November
Public Utilities/Customer Service	April 27, 2011		Late September	Late November
Landfill Operations	May 18, 2011	Early June	Mid-October	Mid-December
Street and Sidewalk Maintenance		July	December/Jan	January/Feb

Organization of teams for Managed Competition of Fleet Maintenance:

<b>Fleet Services Managed Comp</b>	<b>Committee Member</b>	<b>Committee Member</b>
Screening Committee	Andrea Tevlin	Vacant
Cost Evaluation Committee	Mary Lewis	Steve Stroebel
Technical Evaluation Committee	Debra Fischle-Faulk	Charlie Kim

Next MCIRB meeting will be held on May 11, 2011 at 12:00 p.m. A new Board member should be appointed by mid-July.

## VIII. ADJOURNMENT

**Meeting Adjourned: 2:49 p.m.**

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## **REFINED MCIRB MANAGED COMPETITION EVALUATION PROCESS**

**As Approved by MCIRB on April 21, 2011**

### **Step 1- Establish Screening Committee (2 members of MCIRB\*, exempt from Brown Act)**

- a. Screening Committee receives all full proposals.
- b. Screening Committee confirms that at least two bids by independent contractors have been received.
- c. Screening Committee reviews all proposals for completeness, formulates questions and requests additional information/clarification from proposers if necessary, through the P & C Director.
- d. Screening Committee reviews all proposals for completeness and responsiveness, and in consultation with P & C Director and the Chair of MCIRB, determines if any proposals are non responsive. (MCIRB will be asked to confirm or reject "non responsive" determinations at future meeting.)
- e. Screening Committee formulates any additional questions that require follow up by the Cost Evaluation Committee (CEC) or the Technical Evaluation Committee (TEC).
- f. Screening Committee documents their conclusions and prepares report for presentation to MCIRB.
- g. MCIRB reviews and confirms or rejects Screening Committee conclusions.
- h. Costing information from responsive proposals is then distributed to CEC. Technical information from responsive proposals is also distributed to TEC.

### **Step 2- Cost Evaluation Committee (2 members of MCIRB\*, exempt from Brown Act):**

- a. CEC evaluates responsive proposals for costing accuracy by assigning ratings for established criteria (based on cost analysis).
- b. All questions from the CEC and responses from proposers will be handled through the P & C Director.
- c. Based on cost analysis, CEC evaluates responsive independent contractors' proposals for requirement that their cost proposals are at least 10% below City proposal.
- d. Taking into consideration the "10%" requirement, CEC determines based on their cost evaluation and judgment, which proposals qualify for moving on to technical review phase and notifies the TEC in writing.
- e. CEC documents costing evaluation conclusions and prepares report for presentation to MCIRB at future meeting.

### **Step 3- Technical Evaluation Committee (2 members of MCIRB, exempt from Brown Act):**

- a. TEC receives CEC report on proposals that meet "10%" requirement and qualify for moving on to technical evaluation process.
- b. TEC reviews and evaluates qualified proposals per evaluation criteria stated in the RFP; assigns ratings for established criteria (based on technical analysis); and provides information on qualities which justify ratings.
- c. This review period can include additional questions of proposers; consultation with subject matter experts; tours of facilities of qualified proposers; and interviews. All of these steps will be coordinated through the P & C Director.
- d. TEC documents evaluation conclusions and prepares report for MCIRB.

### **Step 4- MCIRB (full Board, all meetings subject to Brown Act)**

- a. MCIRB members receive the following reports in advance of meeting(s) to make decision on award:
  - Full proposals of qualified bidders.
  - Report from Cost Evaluation Committee.
  - Report from Technical Evaluation Committee.
- b. MCIRB determines if additional interviews, tours, information is required prior to making recommendation for award and schedules as needed through P & C Director.
- c. MCIRB meets to decide award recommendation, discusses Last, Best and Final Offer if determined appropriate.
- d. MCIRB prepares report on best overall evaluation recommendation to Mayor which shall include a written explanation for rationale of its decision.

\*MCIRB Chair, together with the Assistant Chief Operating Officer, will provide coordination and oversight of Committee work. Hence, the MCIRB Chair will not serve on Committees.

# MCIRB Managed Competition Evaluation Process

## Attachment 2

